

REMARKS

Claims 1-42 are presently pending in the application. The Office Action has rejected all pending claims. Applicants respectfully traverse.

A. Omission of Claim 34

As noted by the Examiner, claim 34 seems to be omitted from the present application. Applicants have renumbered the pending claims to reflect this change. Therefore, claims 1-41 are presently pending as renumbered. The Applicants thank the Examiner for the thorough review thereby bringing to the attention of the Applicants the omission of claim 34.

B. Claim Rejections Under 35 U.S.C. § 103(a)

The Office Action has rejected the currently pending claims 1-41 under various combinations of U.S. Patent No. 5,160,875 to Kono (the "Kono" reference), U.S. Patent No. 4,415,812 to Griffith et al. (the "Griffith" reference), U.S. Patent No. 5,723,956 to King et al. (the "King" reference), and U.S. Patent No. 4,188,931 to Waterhouse (the "Waterhouse" reference). Applicants respectfully traverse.

1. No Combination of the References Cited by the Office Action Teach the Language of the Claims.

Claims 1-3, 5-9, 11-25, 30-33, 36 and 41-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kono reference in view of the Griffith reference. Applicants respectfully traverse. Claim 1 specifically requires "providing the second voltage to the device in response to the operation of the actuator." There is no combination of the Kono reference with the

Griffith reference that teaches the language of independent claim 1. The second voltage of the Kono reference is provided instantaneously to device 33 because of the difference in windings of L21 and L22 of power source transformer 21. The drop in voltage across power source transformer 21 is instantaneous and even if the Kono device was modified with the actuator/solenoid 20 of the Griffith reference, the voltage would still be provided to the device/motor 33 instantaneously. The instantaneous change of voltage across power source transformer 21 precludes any possibility that the second voltage applied to the device would be in response to the operation of the actuator. Therefore, the providing of the second voltage to the device/motor 33 would be completely independent of the operation of the actuator/solenoid 20 of the Griffith reference even if the actuator/solenoid 20 of the Griffith reference was implemented to modify the device disclosed in the Kono reference.

Claims 2, 3 and 5-7 depend from claim 1, and therefore include all of the limitations of claim 1. It is therefore respectfully submitted that dependent claims 2, 3 and 5-7 are allowable over the references of record for at least the same reasons as provided with respect to independent claim 1.

Claim 8 as amended specifically requires "provides the first voltage to the device after the actuation of the device." As discussed with reference to independent claim 1, the Kono reference teaches providing a first voltage to the device/motor 33 instantaneously and continuously. Even assuming, arguendo, that modifying the Kono reference with the actuator/solenoid 20 of the Griffith reference is proper, any combination of the references fail to teach that the first voltage is applied to the device after the actuation of the actuation/solenoid 20. Because the Kono reference teaches applying a continuous and instantaneous voltage to device/motor 33, any modification of the Kono reference with the Griffith reference fails to teach the language of independent claim 8. Therefore,

independent claim 8 cannot be obvious in light of any combination of the Kono reference with the Griffith reference.

Dependent claims 9, 11, 12 and 13 all depend from independent claim 8, and therefore include all of the limitations of independent claim 8. It is therefore respectfully submitted that dependent claims 9, 11, 12 and 13 are allowable over the references of record for at least the same reasons as provided with respect to independent claim 8.

Similarly, independent claim 14 requires "providing the first voltage to the device in response to a first action of the actuator." As discussed *supra*, with reference to independent claims 1 and 8, any combination of the Kono reference with the Griffith reference fails to teach providing the voltage in response to a first action of the actuator. Thus, any modification of the Kono reference with the actuator/solenoid 20 disclosed in the Griffith reference does not teach the language of independent claim 14. Therefore, independent claim 14 cannot be obvious in light of the references cited by the Office Action.

Claims 15-19 depend from independent claim 14, and therefore include all of the limitations of independent claim 14. It is therefore respectfully submitted that dependent claims 15-19 are allowable over the references of record for at least the same reasons provided with respect to independent claim 14.

Independent claim 20 requires that "the deactivation of the first and second relays causing the dc chopper module to deactivate." Any combination of the Kono reference with the Griffith reference fails to teach the language of independent claim 20. The Griffith reference does not teach a dc chopper module. The Kono reference teaches that the deactivation of the relays causes the dc motor to rotate in different directions, but nowhere does the Kono reference teach that the dc chopper, alleged by the Office Action to be power transformer 21, deactivates upon the deactivation

of relays 27, 31 and 41. Thus, no combination of the Kono reference and the Griffith reference teaches the language of independent claim 20.

Dependent claims 21-25 depend from independent claim 20, and therefore include all of the limitations of independent claim 20. It is therefore respectfully submitted that dependent claims 21-25 are allowable over the references of record for at least the same reasons with respect to independent claim 20.

Referring now to independent claim 32, the language of the claim requires "a control line coupled to the third relay and the dc chopper module for activating the third relay and the dc chopper module." The Griffith reference fails to teach a dc chopper module. The Kono reference does not teach a control line for activating a dc chopper module. The dc chopper module, the power transformer 21 as alleged in the Office Action, is always activated as taught by the Kono reference. Therefore, any combination of the Kono reference and the Griffith reference fails to teach the language of independent claim 32.

Claims 33, 36 (presently renumbered to be claim 35) and 41-42 (presently renumbered to be claims 40-41) all depend from independent claim 32, and therefore include all of the limitations of independent claim 32. It is therefore respectfully submitted that dependent claims 33, 36 (now claim 35) and claims 41-42 (now claims 40-41) are allowable over the references of record for at least the same reasons as provided with respect to independent claim 32.

Claims 4, 10, 24 and 35 (now 34) were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kono reference, in view of the Griffith reference, as applied to claims 1-3, 5-9, and 11-19, and further in view of the King reference. Claims 4, 10, 24 and 35 (now 34) depend from independent claims 1, 8, 20 and 32, and therefore include all of the limitations of independent claims 1, 8, 20 and 32. It is therefore respectfully submitted that dependent claims 4, 10, 24, and 35

(now 34) are allowable over the references of record for at least the reasons provided with respect to independent claims 1, 8, 20 and 32.

The Office Action also rejected claims 26-29 and 37-40 (now 36-39) under 35 U.S.C. § 103(a) as being unpatentable over the Kono reference in view of the Griffith reference as applied to claims 1-3, 5-9 and 11-25, 30-33 (now 35) and 41-42 (now 40-41) above, and further in view of the Waterhouse reference. Claims 26-29 and 37-40 (now 36-39) depend from independent claims 20 and 32, and therefore include all of the limitations of independent claims 20 and 32. It is therefore respectfully submitted that dependent claims 26-29 and 37-40 (now 36-39) are allowable over the references of record for at least the reasons provided with respect to independent claims 20 and 32.

2. There is No Suggestion to Combine the References Cited by the Office Action.

There is no suggestion to modify the Kono reference with the Griffith reference as cited by the Office Action. Nowhere in the Kono reference does it teach or suggest modifying the device with an actuator. In fact, modifying the Kono reference with the actuator/solenoid 20 described in the Griffith reference would render the device disclosed in the Kono reference inoperable. The actuator/solenoid 20 in the Griffith reference is designed to close the circuit across electrical contacts 22b and 22c. When the circuit is closed through the addition of electrical contacts 22a, power is provided to electric cranking motor 13.

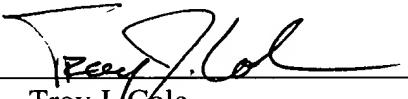
The modification of the Kono reference with the actuator/solenoid 20 would render the device inoperable. The Kono reference is designed with relays 27, 31 and 41 designed to either change the direction of the rotation of the dc motor/device 33 or completely short circuit the device. Adding an additional actuator that can completely disconnect the motor/device 33 from power source 22 would render the device described in the Kono reference inoperable for its intended function of changing rotational direction or stopping the motor in response to the activation or

deactivation of relays 27, 31, and 41. Therefore, there is no suggestion to combine the Kono reference and the Griffith reference in the manner alleged by the Office Action.

C. Conclusion

Accordingly, it is believed that claims 1-41 are in condition for allowance and Applicants respectfully request that they pass issue. Reconsideration of the present application as amended is respectfully requested. To facilitate allowance of the application, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

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